

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
WACO DIVISION**

**VIASAT, INC.,**

**Plaintiff,**

**v.**

**WESTERN DIGITAL CORPORATION  
and WESTERN DIGITAL  
TECHNOLOGIES, INC.,**

**Defendants.**

**Case No. 6:21-cv-01230-ADA**

**JURY TRIAL DEMANDED**

**STIPULATION AND ORDER DISMISSING WITH PREJUDICE DEFENDANT  
WESTERN DIGITAL CORPORATION**

Plaintiff Viasat, Inc. and Defendants Western Digital Corporation and Western Digital Technologies, Inc. hereby move for an order dismissing all claims in this action against Western Digital Corporation WITHOUT PREJUDICE and according to the terms of the Agreement between the parties. Each party is to bear its own costs, expenses, and attorneys' fees.

The parties further stipulate that, should a dispute arise between the parties regarding the Agreement during the pendency of this litigation, any dispute will be heard by the judge that is presiding over the case at the time.

Dated: June 3, 2022

By: /s/ Melissa R. Smith

Melissa R. Smith, State Bar No. 24001351  
GILLAM & SMITH, LLP  
303 South Washington Avenue  
Marshall, Texas 75670  
Telephone: (903) 934-8450  
Facsimile: (903) 934-9257  
melissa@gillamsmithlaw.com

J. Scott McBride (*Pro Hac Vice*)  
Matthew R. Ford (*Pro Hac Vice*)  
Nevin M. Gewertz (*Pro Hac Vice*)  
BARTLIT BECK LLP  
54 West Hubbard Street  
Chicago, Illinois 60654  
Telephone: (312) 494-4400  
Facsimile: (312) 494-4440  
scott.mcbride@bartlitbeck.com  
matthew.ford@bartlitbeck.com  
nevin.gewertz@bartlitbeck.com

Nosson D. Knobloch (*Pro Hac Vice*)  
Meg E. Fasulo (*Pro Hac Vice*)  
BARTLIT BECK LLP  
1801 Wewatta Street, Suite 1200  
Denver, Colorado 80202  
Telephone: (303) 592-3100  
Facsimile: (303) 592-3140  
nosson.knobloch@bartlitbeck.com  
meg.fasulo@bartlitbeck.com

*Attorneys for Plaintiff Viasat, Inc.*

By: /s/ L. Kieran Kieckhefer

L. Kieran Kieckhefer (*Pro Hac Vice*)  
SHEARMAN & STERLING LLP  
535 Mission Street, 25th Floor  
San Francisco, CA 94105  
Telephone: (415) 616-1124  
Facsimile: (415) 616-1199  
kieran.kieckhefer@shearman.com

David P. Whittlesey, State Bar No. 00791920  
SHEARMAN & STERLING LLP  
300 West 6th Street, 22nd Floor  
Austin, Texas 78701  
Telephone: (512) 647-1907  
Facsimile: (512) 857-6602  
david.whittlesey@shearman.com

Matthew G. Berkowitz (*Pro Hac Vice*)  
Patrick R. Colsher (*Pro Hac Vice*)  
Lillian J. Mao (*Pro Hac Vice*)  
Yue (Joy) Wang (*Pro Hac Vice*)  
SHEARMAN & STERLING LLP  
1460 El Camino Real, 2nd Floor  
Menlo Park, CA 94025  
Telephone: (650) 838-3600  
Facsimile: (650) 838-5141  
matt.berkowitz@shearman.com  
patrick.colsher@shearman.com  
lillian.mao@shearman.com  
joy.wang@shearman.com

Ahmed E. ElDessouki (*Pro Hac Vice*)  
SHEARMAN & STERLING LLP  
599 Lexington Avenue  
New York, NY 10022  
Telephone: (212) 838-4000  
Facsimile: (646) 848-4908  
ahmed.eldessouki@shearman.com

*Attorneys for Defendants Western Digital Corporation and Western Digital Techs., Inc.*

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the above and foregoing document has been served on all counsel of record via the Court's ECF system

/s/ Melissa R. Smith